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PART I

IMPORTANT GOVERNMENT ORDERS

PERSONNEL AND ADMINISTRATIVE REFORMS SECRETARIAT

Clarification regarding Departmental Examinations

OFFICIAL MEMORANDUM

No. DPAR 68 SSR 76, BANGALORE, DATED THE 8TH MAY 1979

The Accountant General has sought clarification on certain points with regard to the admissibility of additional increment under Rule 6 of the Karnataka Civil Services (Service and Kannada Language Examinations) Rules, 1974. The points raised by him are extracted below :

(i) "This office has come across a case where the Government Servant has not been given the advance increment in a post for the reasons that no service examination has been prescribed for the post and when such a Government Servant consequent on his promotion to a higher post, retains the lower Scale of pay under rule 42 (b) (2) of Karnataka Civil Service Rules till the date of next increment, it is presumed that the advance increment if admissible in the higher post should be released from the date from which he draws pay in the higher scale. This presumption may please be confirmed to deal with the cases of the type cited above".

(ii) "It is presumed that if a local candidate who had passed the prescribed examination is regularly appointed to a post, he would be entitled to the advance increments from the date of such regular appointment."

(iii) "It is seen that in some departments Examinations prescribed for both the higher and the lower posts are the same. (For instance in K.A.S. Senior and Junior Class I Posts ; Shirestedars and Ist Division Clerks in the Revenue Department ; Head Clerks and Ist Division Clerks in the Land Records Department, ACTOs, CTOs, and Assistant Commissioners in the Commercial Taxes Department). In these and similar cases it is presumed that only one advance increment would be admitted in the entire service according to the Proviso to Rule 6 and the Officers would not be entitled to advance increments in respect of each post."

(iv) "It is presumed that in such cases the entitlement of advance increments would have to be decided with reference to the facts on the date of passing the examination and the officer would not have any option to get the advance increments in whichever post he chooses. For instance, if an officer has passed all the examinations as Ist Division Clerk and if he is not eligible for advance increments as he has reached the maximum, he cannot choose to get it when he is appointed as a Sheristedar. This may please be confirmed."

(v) "According to Rule 6 (1) (b) as introduced in the amendment Rule cited above advance increment is admissible from the date of passing the last of such examinations if he passes these subsequent to the date of examinations. It is presumed that the date of passing of the last of such examinations is to be determined in accordance with the provisions of Note 3 to Rule 53 (a) of Karnataka Civil Service Rules. This may also please be confirmed."

The points raised by the Accountant General are clarified as under :—

Point : (i) The presumption of Accountant General is confirmed.

Point : (ii) A Local candidate appointed regularly will be eligible to get the additional increment from the date he is appointed regularly if he has, on that date, passed the Kannada Language Examination and the prescribed examinations.

Point : (iii) and (iv) The officers are entitled to the additional increment only once in their entire service. Hence, increments cannot be allowed in both the Higher and the Lower posts. The entitlement of advance increment should be decided with reference to the facts on the date of passing the examination and the Government Servants have no option to get the advance increments in whichever post they choose. In the case mentioned by Accountant General at item No. (iv) if the officer has passed all the examinations prescribed for the post of Ist Division Clerk and if he has reached the maximum of the pay scale of the post of Ist Division Clerk, he would be entitled to one additional increment at the rate corresponding to his position in the time scale of I Division Clerk *i.e.*, the value of the last increment drawn where he has reached the maximum of the time scale.

Point : (v) The date of passing the examination should be determined in accordance with the provisions of Note – 3 below Rule 53 (a) of the K.C.S.Rs.

The above clarifications may please be noted for guidance by all the concerned authorities.

H. P. DHARANENDRANATH,
Deputy Secretary to Government,
Dept. of Personnel & Admn. Reforms,
(Service Rules).

Premature transfers of Second Division Clerks, Drivers and Class IV Government servants—Delegation of powers to Deputy Commissioner.

REF.—1. O.M. No. GAD 2 STR 72 dated 8th April 1972.
2. Circular No. GAD 2 STR 72 dated 8th May 1972.

OFFICIAL MEMORANDUM

No. DPAR 4 STR 79, BANGALORE DATED 26TH APRIL 1979.

Instructions were issued in Official Memorandum No. GAD 2 STR 72 dated 8th April 1972 and Circular No. GAD 2 STR 72 dated 8th May 1972 that transfers of Non-Gazetted officials of Revenue Department who had not completed the minimum period of 2 years of service at a place, should not be made without prior approval of Divisional Commissioner concerned unless such transfers were necessitated by promotion of the official.

2. In modification of these instructions Government are pleased to dispense with the requirement of prior approval of the concerned Divisional Commissioner for effecting premature transfers of Second Division Clerks, Drivers and Class IV Officials in Revenue Department and the Deputy Commissioners of Districts are authorised to take decisions in such cases.

H. P. DHARANENDRANATH,
Deputy Secretary to Government,
Dept. of Personnel & Admv. Reforms
(Service Rules).

REVENUE SECRETARIAT

Appointment of Arbitrator—Shri M. K. Linganna, Extension of term from 11th March 1977 to 2nd November 1978.

READ :—
(1) Government Order No. RD 48 AQW 76 dated 2nd July 1976.
(2) Letter No. ARB 1/76-77 dated 10th November 1978.

PREAMBLE :—
Government in their Order No. RD. 48 AQW 76 dated 2nd July 1976 created a post of Arbitrator for a period of four months from the date the incumbent takes charge of the post. Now it is reported that the term of the said post has expired on 11th March 1977 and the award has been pronounced on 2nd November 1978. He has therefore requested for the extension of the term of the post for a further period from 12th March 1977 to 2nd November 1978 (both days inclusive).